

## **REMARKS/ARGUMENTS**

### **Status of Claims**

Claims 1-8 were filed in the present application. These claims stand rejected under various rejections. As outlined above, newly presented Claims 9 and 10 have been added. Therefore, Claims 1-10 are pending in this application and are currently under consideration.

The newly presented claims are fully supported in the specification as originally filed. In particular, the newly added language in Claims 9 and 10 is supported in the specification at page 11, lines 8-10.

### **Rejection**

Claims 1-8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Feist et al., US Pat. No. 5,300,054 ("Feist"), in view of Yarborough et al., US Pat. No. 5,552,673 ("Yarborough"). Applicant respectfully traverses this rejection.

The present invention relates to an absorbent product, particularly for the absorption of body exudates. The product includes an inner sheet to be positioned close to the wearer's body, an outer sheet to be positioned close to the wearer's garments, and an absorbent core positioned between said outer and inner sheets. A transfer layer made of an absorbent material envelops the absorbent core. The transfer layer includes a polymeric material and presents a basis weight substantially between 8 and 20 g/m<sup>2</sup>. In addition, the transfer layer includes at least one permanent surfactant element.

Feist purports to disclose an absorbent product having a "rapid acquiring, wrapped multiple layer absorbent body in an absorbent core."

Yarborough purports to disclose an absorbent article having a backsheet layer, and an absorbent structure. The absorbent structure includes a liquid permeable topsheet layer on the absorbent structure. The reference discusses the prior art as using nonwoven fabrics of meltblown polypropylene fibers to wrap absorbent structures to contain superabsorbent particles therein. It describes that such nonwoven materials require a surfactant that is "permanently bound to the nonwoven fabric."

The Office Action indicates that it would have been obvious to treat the absorbent structure of Feist with the surfactant of Yarborough to result in the presently claimed invention. However, Applicant respectfully points out that the structure that Yarborough describes as its

invention does not appear to include such a nonwoven wrapper. While Yarborough employs one or more nonwoven webs having a surfactant applied thereto, the first of these appears to be a "topsheet," which presents a body-facing surface. The second web appears to be a "surge management portion," which "may optionally be treated with a surfactant or otherwise processed to impart a desired level of wettability and hydrophilicity." However, Yarborough does not indicate that either of these surfactants is similar to that disclosed in reference to the prior art or that either must be a "permanent surfactant."

Therefore, Applicant respectfully submits that there is no motivation in the cited references to combine Feist and Yarborough in the manner described in the Action. Further, there is no teaching or suggestion that permanent surfactants are desirable in the nonwoven webs incorporated into its allegedly inventive products. Therefore, there is no clear teaching or suggestion that the combination of Feist and Yarborough, even if motivated, would provide the presently claimed invention. Thus, Applicant submits that Claim 1 and dependent Claims 2-8 are patentable over the cited art. Further, there is no teaching or suggestion to employ only low denier fibers in a nonwoven web to be used as a transfer layer in either cited reference, and Applicant respectfully submits that newly presented Claims 9 and 10 are patentable over the cited art.

Applicant believes that the foregoing presents a full and complete response to the outstanding Office Action. Applicant looks forward to an early notice of allowance for this application.

Respectfully submitted,

/Joel A. Rothfus/

Joel A. Rothfus  
Reg. No. 33,277  
Attorney for Applicant

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-2722  
June 24, 2005